

JUDICIARY. Gentleman, Chair: Dieleman and Small _____

MAR 12 1985

Place On Calendar

HOUSE FILE 558

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

(Formerly House File 246)

Passed House, Date 3-19-85 (p. 896) Passed Senate, Date 4-16-85 (p. 1399)

Vote: Ayes 95 Nays 2 Vote: Ayes 45 Nays 0

Approved April 30, 1985 (p. 2087)

A BILL FOR

1 An Act relating to the liabilities of mental health advocates.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 558

1 Section 1. Section 229.19, unnumbered paragraph 3, Code
2 1985, is amended to read as follows:

3 The court shall from time to time prescribe reasonable
4 compensation for the services of the advocate. The
5 compensation shall be based upon the reports filed by the
6 advocate with the court. The advocate's compensation shall be
7 paid on order of the court by the county in which the court is
8 located. The advocate is an employee of the state for
9 purposes of chapter 25A.

10 EXPLANATION

11 This bill provides that a mental health advocate, for
12 purposes of the state tort claims Act, is considered an
13 employee of the state. Therefore, the state is ordinarily
14 required to defend and indemnify the advocate for claims
15 brought under chapter 25A.

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located. The advocate is an employee of the state for purposes of chapter 25A.

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DONALD D. AVENSON
Speaker of the House

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ROBERT T. ANDERSON
President of the Senate

HOUSE FILE 558

AN ACT

RELATING TO THE LIABILITIES OF MENTAL HEALTH ADVOCATES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 229.19, unnumbered paragraph 3, Code 1985, is amended to read as follows:

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I hereby certify that this bill originated in the House and is known as House File 558, Seventy-first General Assembly.

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JOSEPH O'BERN
Chief Clerk of the House
Approved *April 30*, 1985

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TERRY E. BRANSTAD
Governor